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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/562,648
Filing Date	December 27, 2005
First Named Inventor	Mark A. Rydell
Art Unit	3738
Examiner Name	Unknown
Total Number of Pages in This Submission	15
Attorney Docket Number	32355.12.8.1.1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <ul style="list-style-type: none"> <li>- <input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> </ul> <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53</li> </ul>	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p>See the attached additional enclosures</p>
<b>Remarks</b> <p>The Commissioner is hereby authorized to charge payment of any additional fees under or credit any overpayment to Deposit Account No. 06-1910.</p>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Customer No. 022859, Fredrikson & Byron, P.A.		
Signature			
Printed name	Matthew J. S. Graham		
Date	April 28, 2006	Reg. No.	54,647

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Stacy Bickel	Date	April 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**TRANSMITTAL FORM  
(PTO/SB/21)**

**ADDITIONAL ENCLOSURES**

Application Number	10/562,648
Filing Date	December 27, 2005
First Named Inventor	Mark A. Rydell
Art Unit	3738
Examiner Name	Unknown
Attorney Docket Number	32355.12.8.1.1

Response to Missing Parts.

Copy of Notification of Missing Parts.

Declaration.

Statement Under 37 CFR 3.73(b).

Assignment with Coversheet.

Check for \$40 to cover the recordal fee.

Return Receipt Postcard.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

RYDELL et al.

Serial No.: 10/562,648

Filed: December 27, 2005

For: SYSTEM AND METHOD FOR  
ANKLE ARTHROPLASTY

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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) Our Ref. 32355.12.8.1.1  
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) Art Unit: 3738  
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on this 28<sup>th</sup> day of April, 2006

By Stacy Bickel

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

This submission is filed in response to Notification of Missing Requirements Under 35 U.S.C. 371, mailed April 5, 2006, submitted herewith are:

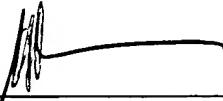
- 1) A copy of the Notification of Missing Requirements;
- 2) Executed Declaration for Patent Application;
- 3) Power of Attorney to Prosecute Applications Before the USPTO; and
- 4) Statement Under 37 CFR 3.73(b) with copy of Assignment;

In light of the above, it is believed that the applicants have complied with all of the requirements set forth in the Notification of Missing Requirements Under 35 U.S.C. 371, mailed April 5, 2006.

If any further information is needed to process the present application, the undersigned would welcome a telephone call at the number listed below.

Respectfully submitted,

Dated: April 28, 2006



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Mathew J.S. Graham  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/562,648	Mark A. Rydell	32355.12.8.1.1

22859

INTELLECTUAL PROPERTY GROUP  
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RECEIVED

APR 10 2006

INTERNATIONAL APPLICATION NO.

PCT/US04/20456

I.A. FILING DATE	PRIORITY DATE
06/05/2004	06/27/2003

CONFIRMATION NO. 8434

371 FORMALITIES LETTER



\*OC00000001845432\*

Intellectual Property  
 Department

Date Mailed: 04/05/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/27/2005
- Copy of the International Search Report filed on 12/27/2005
- Preliminary Amendments filed on 12/27/2005
- Information Disclosure Statements filed on 12/27/2005
- Oath or Declaration filed on 12/27/2005
- Request for Immediate Examination filed on 12/27/2005
- U.S. Basic National Fees filed on 12/27/2005
- Priority Documents filed on 12/27/2005

Response due:

Docketed

*6/5/06 ABN/PB  
 4/6/07 AB*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

JOHN L ANDERSON

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Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,648	PCT/US04/20456	32355.12.8.1.1

FORM PCT/DO/EO/905 (371 Formalities Notice)